

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FOREST LABORATORIES, INC.,

Plaintiff,

- against -

LEIF NISSEN,

Defendant.

ECF CASE

07 Civ. 7399 (AKH) (MHD)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Complaint, the Amended Complaint, the Declaration of Leif Nissen sworn to September 21, 2007, the Declaration of James W. Dabney sworn to September 21, 2007, the Memorandum in Support of Defendant's Motion to Dismiss for Lack of Personal Jurisdiction and Improper Venue, the Second Declaration of Leif Nissen sworn to October 23, 2007, the Second Declaration of James W. Dabney sworn to October 23, 2007, the Memorandum in Support of Defendant's Motion for and Award of Attorneys' Fees, and upon all papers filed and hearings held herein, the undersigned will move this Court, the Honorable Michael H. Dolinger, United States Magistrate Judge, at Room 17D, United States Courthouse, 500 Pearl Street, New York, 10007, on the 16th day of November, 2007, at 10:00 a.m., or as soon thereafter as counsel can be heard, for an Order awarding attorneys' fees under the Court's inherent power.

Dated: New York, New York
October 23, 2007

FRIED, FRANK, HARRIS, SHRIVER
& JACOBSON LLP

By: 

James W. Dabney

Sarah Krissoff

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Attorneys for Defendant
Leif Nissen

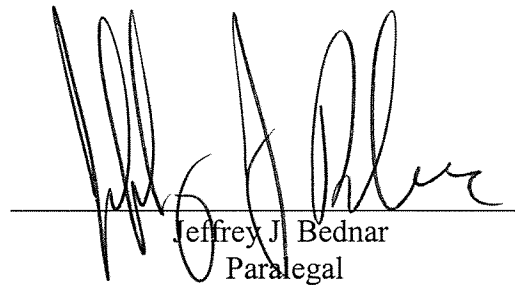
CERTIFICATE OF SERVICE

I certify under penalty of perjury pursuant to 28 U.S.C. § 1746 that on the 23rd day of October, 2007 I caused to be served upon the following, by the methods described below, true copies of the Notice of Motion; Memorandum in Support of Defendant's Motion for an Award of Attorneys' Fees; Second Declaration of Leif Nissen; and Second Declaration of James W. Dabney.

Hand-Delivery

Christopher Serbagi, Esq.
Law Offices of Christopher Serbagi
488 Madison Avenue, Suite 1120
New York, New York 10022
Attorneys for Plaintiff

Dated: New York, New York
October 23, 2007



Jeffrey J. Bednar
Paralegal